

May 27, 2010

Mr. Kirkpatrick called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. He read the Sunshine Statement.

Members Present: Mr. Severino, Mr. Bischoff, Mr. Walchuk, Mr. Nace, Mrs. Corcoran
Mr. Badenhausen, Mr. Taibi, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Ryland, Mr. Kastrud

Others Present: Atty. Mark Anderson, Robert Clerico, Mary Beth Lonergan, Steve Balzano, Michele McBride

Approval of Minutes: Mr. Ford made a motion to approve the minutes of the April 22, 2010 meeting. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Badenhausen, Mr. Nace, Mrs. Corcoran, Mr. Kirkpatrick
Abstain Mr. Severino, Mr. Bischoff, Mr. Walchuk, Mr. Taibi

Memorialization of Resolutions: MBP Group: Block 12, Lot 8.03, Charlestown Road: Mr. Nace made a motion to memorialize the Resolution. Mr. Ford seconded the motion.

Vote: Ayes: Mr. Nace, Mr. Ford, Mrs. Corcoran, Mr. Badenhausen, Mr. Kirkpatrick

YMCA/Bethlehem Presbyterian Church: Block 25, Lot 15, 2 Race Street: Mrs. Corcoran made a motion to memorialize the Resolution. Mr. Nace seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Nace, Mr. Badenhausen, Mr. Kirkpatrick
Abstain: Mr. Ford

Public Hearing: Housing Element and Fair Share Plan: Mary Beth Lonergan, Clarke, Caton and Hintz, gave a brief overview of the components of the new amended Plan. She said Union Township adopted its initial Plan in 2005. There was a minor amendment to the Plan in 2006. Ms. Lonergan said Regional Contribution Agreements have since been eliminated by COAH. In addition, there is a new cap on various bonuses, as well as a new family housing requirement. Ms. Lonergan emphasized it was important to adopt and file the Plan by the June 8, 2010 deadline.

Ms. Lonergan stated the three parts of the Plan. The first is a rehabilitation plan (four units); the second is prior obligations from the 80's and 90's (78 units) and the third is growth-share units (projected by COAH to be 46 units). Ms. Lonergan said the Plan before the Board meets the requirements of the Fair Housing Act that are reflected in the Municipal Land Use Law. She believes the Plan should be adopted by the Board. Ms. Lonergan said she would be happy to answer questions. Mr. Balzano referenced proposed Legislation in the Senate S1, (the Lezniak Bill). He also emphasized the importance of adopting and filing the Plan by the June 8, 2010 deadline.

Mr. Kirkpatrick asked where the final version of the Plan would reside. Ms. Loneran said her office would prepare a Petition Package that includes Master Plan Elements and Zoning and Tax Maps. The Package will be submitted to the Highlands and COAH. After COAH reviews the Package, they will tell the Township to Notice the Submission of the Package to COAH in the Newspaper. There will be a forty-five-day objection period. A copy of the Plan should be in both the Planning Board and Municipal Clerk's office. The Public Review Period will begin after COAH states that the Petition Package is complete. Ms. Loneran said she would provide copies of the adopted Plan to Board members and their consultants. Mr. Kirkpatrick asked if the minor changes to the Plan that was discussed at the May 13, 2010 Joint Committee/Planning Board meeting had been included in the Final Plan and had that Plan been circulated to the Board. Ms. Loneran said changes were sent out on May 14, 2010 to be on file on May 17, 2010.

Ms. Loneran read the changes into the record. Page 21, second paragraph, "Union Township's Zoning Ordinances have provided reasonable opportunities for the construction of traditional affordable housing units, i.e., two existing multi-family residential developments in Union Township, Union Gap Village and Union Hill total 516 housing units and have 448 for sale units. Units in both multi-family developments were sold in 2009/2010 for between \$100,000 and \$200,000. Thus, this multi-family for sale units are naturally a part of Union Township's affordable housing stock. However, COAH has not credited the units toward addressing the Township's affordable housing obligation, because either the units were built before 1980 or do not have the currently required affordability deed restrictions. If future rules or statutes permit, the Township will include this existing affordable housing stock, such as these modest priced units as future affordable housing credit". .

Page 25, second paragraph, now reads, "almost 30% of the Township's year 2000 population (1,809 persons) are those residing in institutions, such as the Edna Mahon Correctional Facility and the Hunterdon County Development Center". Mr. Kirkpatrick said those persons would probably have low incomes. Mr. Kirkpatrick emphasized the importance of having changes incorporated in the Plan.

Mr. Kirkpatrick opened the Hearing to comments from the Public. Chris Wade said the Plan sounded great. Mr. Kirkpatrick said comments from the Public were positive. He then closed the Public Comment period. Mr. Kirkpatrick asked for comments from Board members. There was none. He closed that portion of the Hearing. Mr. Kirkpatrick asked for input from Board Professionals, including Atty. Anderson. There was none.

Mr. Kirkpatrick asked for a motion to approve the Housing Element and Fair Share Plan. Mr. Bischoff made the motion. It was seconded by Mr. Ford.

Vote: Ayes: Mr. Bischoff, Mr. Ford, Mr. Severino, Mr. Walchuk, Mr. Nace,
Mrs. Corcoran, Mr. Badenhause, Mr. Taibi, Mr. Kirkpatrick

Correspondence: Pattenburg Quarry: Block 12, Lots 5 & 6, Bethlehem Township and Block 1.08, Lot 22, Union Township: The Quarry has submitted a LOI application. Requires no Board action. **Mountain View Chalet: Block 5, Lot 24.01, Route 173 West:** Letter from HCPB stating their approval is not required. No Board action required. **Plushanski: Block 22, Lots 15 & 15.01, Frontage Road:** Letter from Jeff Tareila regarding LOI application.

Comments from the Public/Other Discussion: Wade: Block 12, Lot 1.01, 237 Van Syckel's Road: Proposal for Park-n-Ride: Chris Wade, owner, said the property is adjacent to the State Police and has access from Route 173 and Van Syckel's Road. Mr. Wade proposed paving about two acres of the property for a Park-n-Ride. He had spoken to NJDOT and said they seemed receptive. However, DOT told him to approach the Planning Board. Mr. Bischoff said the use might not be permitted. Mr. Kirkpatrick said there are two existing Park-n-Rides in the Township and they are accessory to another use. The Park-n-Ride at the Developmental Center is not fully utilized. The Playhouse Park-n-Ride required a Use Variance and utilized existing impervious surface. Mr. Kirkpatrick did not believe a park-n-ride is a use in any district. He also noted the environmental constraints, including the Highlands Open Water Buffers and the proximity of the property to the Mulhockaway Creek. There may not be enough usable property to make the proposal practical. Mr. Ford voiced a concern about air pollution and additional traffic impact. Mr. Wade thanked the Board for listening to his proposal.

Adjournment: There being no further business, the meeting was adjourned. (7:45 p.m.)

Grace A. Kocher, Secretary